Political Activities

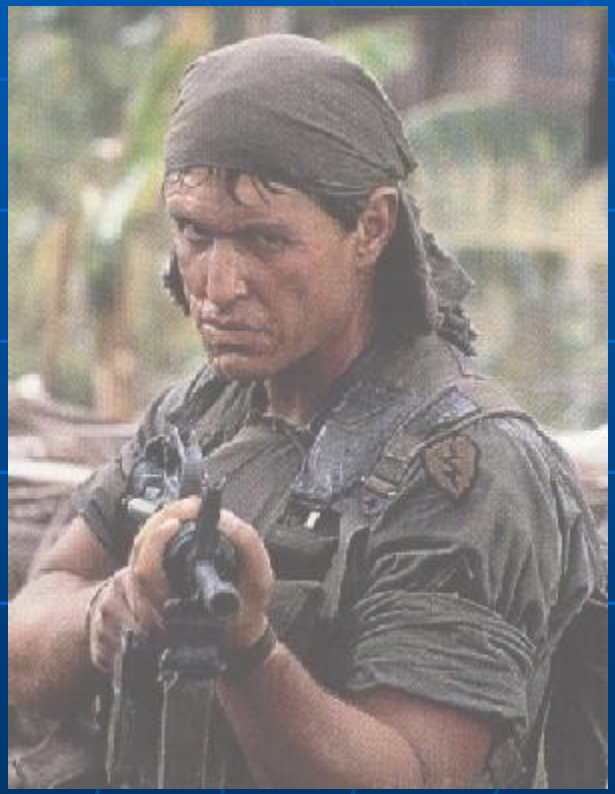
The Libertarian Party

Political Activity References

- Hatch Act, 5 USC 7321-7325
- Elections and Political Activities, 18 U.S.C. § 1913
- DoD 5500.7-R, Chapter 6
- DoD Directive 1344.10, dated 2 Aug 04
- Deputy Secretary of Defense Memorandum, “Civilian Employees’ Participation in Political Activities,” January 21, 2004
- Acting Secretary of the Army Memorandum, “Election Year Guidance and Contacts with Members of Congress,” July 26, 2004
- AR 600-20 Army Command Policy, June 13, 2002, paragraph 5-3 "Political Activities" and Appendices B and C

Active Duty Members

- Hatch Act Does NOT Apply
- DoD Directive 1344.10, 2 Aug 04
- Spirit and Intent -- No activity that may be viewed as directly or indirectly associating DoD with partisan politics
- Goal: No association with DoD and partisan politics



Partisan

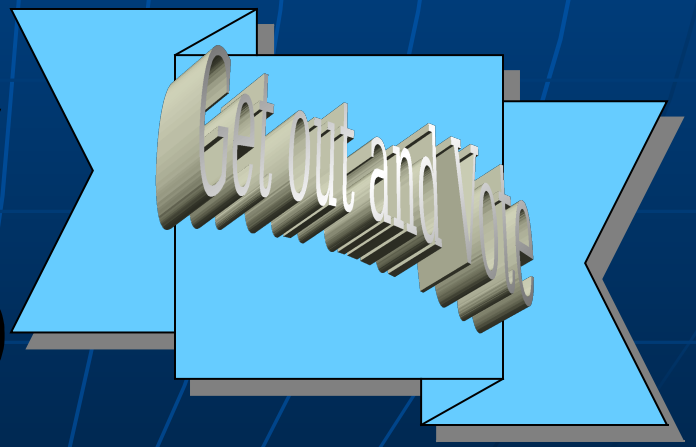
- Activity supporting or relating to candidates representing, or issues identified with, national or state political parties and associated or ancillary organizations.

Non-Partisan

- Supporting or relating to candidates NOT representing, or issues not specifically identified with, national or state parties and associated organizations
- Examples: Constitutional amendments, referendums, approval or municipal ordinances, others of similar character not considered identified with national or state parties

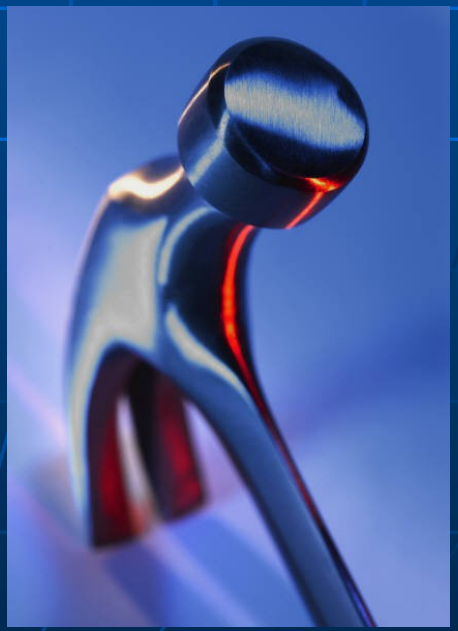
Permissible Activities

- Register, Vote & encourage others to vote, so long as do not influence
- Attend political rallies as spectator (Not in uniform)
- Join political club and attend (Not in uniform)
- Contribute $$ to political organization
- Sign petitions
- Personal letters to the Editor
- Express personal opinions
- Small bumper stickers on POV



Prohibited Activities

- Run for civil office
- Use office to interfere with election, solicit votes or contributions
- Cause or allow signed partisan articles soliciting votes for or against candidate or issue
- Participate in or speak before partisan political campaigns
- Serve as officer/sponsor of political club
- Use contemptuous words
- March/Ride in partisan parades
- Promote political dinners or fundraisers
- Large signs on POV
- Attend political events as Army representative



Local Non-Partisan Campaigns, Initiatives, Referendum

- No uniform or use of Government Property
- No interference or prejudice of performance of military duties
- No implication that Army has an official position or is otherwise involved

Active Duty Wrap-Up

- Full time and attention to performance of military duties during duty hours
- Avoid activities that are likely to discredit Armed Forces
- Refrain from participating in political activity while in uniform
- Do not use Government resources or facilities to further political activities

Civilian Employees

- Hatch Act, 5 U.S.C. §§ 7321-26
- 5 C.F.R. Parts 733-34
- Joint Ethics Regulation, Chapter 6
- Deputy Secretary of Defense Memo
- Acting Secretary of the Army Memo

Permissible Activities – In Personal Capacity

- Candidates for office in certain non-partisan elections
- Register and vote
- Assist in voter registration drives
- Express personal opinions
- Contribute $$ to political organizations
- Attend political fundraisers
- Join and be member of political party/club
- Sign nominating petitions
- Campaign for/against referenda, amendments, etc
- Campaign for/against candidates in partisan elections
- Make campaign speeches
- Distribute campaign literature

Prohibited Activities

- Use official authority to interfere or influence
- Use official authority to fundraise
- Solicit, accept, or receive contributions
- Be a candidate in partisan election
- Undertake political activity while on duty, while using Government resources
- Engage in political activity in workplace, or while in government vehicle
- Wear buttons on duty

Certain Local Elections

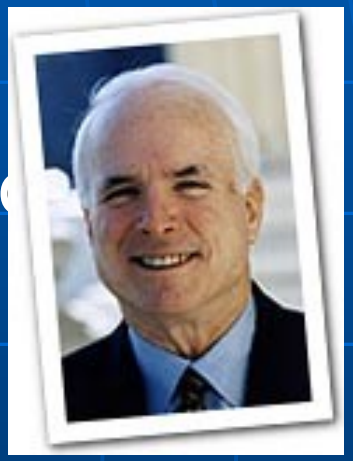
- May run as an independent candidate to a partisan local political office
- In immediate vicinity of D.C. or in areas designated by 5 CFR 733.102(d)
- Must reside in local area
- Candidacy nor office shall result in the neglect of or interference with Army duties
- No solicitations from general public

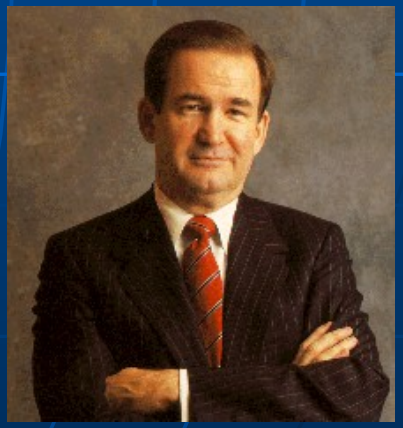
Need Help???

- U.S. Office of Special Counsel
  - “Hatch Act Unit”
  - On-line advisory opinions
  - www.osc.gov/hatchact.htm

Use of DoD Resources

- DoD Public Affairs Policy Guidance -- Election Year 2004
  - Installations may not be used for politi activities
  - Do not support off-base political events
  - 21 January 2004 Memo





SUPPORT

- No military displays
- No military color guard at political events (except for honor guard for national convention)

Use of Army Resources

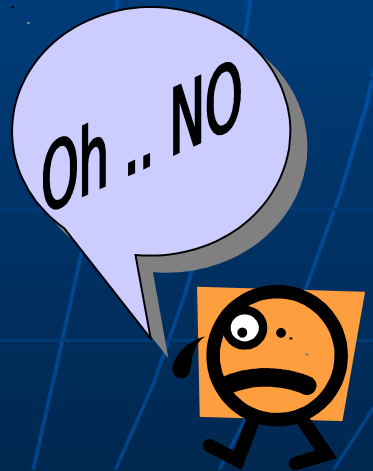
- Acting Secretary of the Army Memo 26 July 2004
  - No political campaign or events on Installations
  - No commercials on Installation or in front of Army equipment
  - Army newspapers will not publish campaign or partisan ads or discussions
- No use of Army communications systems, including email, for political activity

Watch That Email..

OSC alleges that U.S. Environmental Protection Agency (EPA) employee sent an e-mail message to about 15 of her EPA coworkers while she was on duty and in her Federal office building. The message contained a widely-circulated picture purportedly to be actress Jane Fonda and John Kerry speaking at an anti-war rally. Under the picture were numerous negative statements about Presidential candidate John Kerry, and the statement, “Please keep this going. We do not need this man as our President.”

And Another....

U.S. Air Force civilian employee sent an e-mail message: “George W” to more than 70 recipients while he was on duty. The message contained a document mimicking President Bush’s resume and is filled with allegations of incompetence and malfeasance specifically directed at President Bush’s defeat. It also contains the phrases, “Please consider me when voting in 2004” and “Please send this to every voter you know.”



Support Your Candidate ...

Four employees of the Department of Agriculture (USDA) were convicted for political fundraising on Federal property. The USDA employees organized a Political Action Committee and collected a total of $3,250 in checks from various individuals in a USDA building. To encourage donations, the four employees suggested that contributions to the fund might result in special consideration from the USDA officials affiliated with the Administration. Following the election, the four created a list of USDA employees who should not, in their opinion, receive special consideration from the Administration. The four defendants each received four years probation and ordered to pay fines.

Any Questions??